

REMARKS

Claims 1-58 remain pending in the application.

The Applicant respectfully requests the Examiner to reconsider earlier rejections in light of the following remarks. No new issues are raised nor is further search required as a result of the changes made herein. Entry of the Amendment is respectfully requested.

Finality of the Office Action

The Examiner has indicated the Office Action as being Final. However, the Office Action has raised a new grounds of rejection **not based on amendments** made by Applicant. In particular, the examiner now rejects the recited "associated data" in claims 9, 29, 34 and 42 that was found in the originally filed claims.

The Applicant respectfully requests the Finality of the Office Action be withdrawn.

Claims 1, 4-6, 8-21 and 24-58 over Matsumoto

In the Office Action, claims 1, 4-6, 8-21 and 24-58 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,678,720 to Matsumoto ("Matsumoto"). The Applicant respectfully traverses the rejection.

Claims 1, 4-6, 8-20 and 53-58 recite a system and method initiating a transfer of an instant message and a chat history in a first data format compatible with a first messaging chat system, and transferring the instant message and the chat history in a second data format compatible with a **second messaging chat system**. Claims 21 and 24-52 recite a system and method to convert an instant message and a chat history from a first data format that is compatible with a first instant messaging system to a second data format that is compatible with a **second data messaging chat system**.

The Examiner points to Matsumoto at col. 4, lines 49-67 to disclose the features claimed in claims 1, 4-6, 8-21 and 24-58 (See Office Action, page 10). The Applicant respectfully disagrees.

Matsumoto discloses a conversion acquisition means that creates message histories and stores them in a message storage means (See col. 4, lines 54-56). The conversion means converts the message history, which is text data, to voice data, plays back the voice and sends it to a telephone set (See Matsumoto, col. 4, lines 60-62). If the conversion means can convert the message history to image data and sent to a fax machine (See col. 4, lines 62-64). The conversation in a channel can thus be acquired using an external information terminal, even if a user cannot connect directly to a chat system (See Matsumoto, col. 4, lines 64-67).

As the Examiner acknowledges, Matsumoto discloses conversion of a message history, which is text data, to a voice message for presentation to a telephone and an image for presentation to a fax machine (See Office Action, page 10). However, and most importantly, Matsumoto discloses a conversation can be **acquired** even if a user cannot connect directly to a chat system. Thus, Matsumoto discloses **acquiring** a chat history by a telephone and fax machine, i.e., a second messaging **reception** system. Matsumoto **fails** to disclose transferring an instant message to a second chat system since the telephone and fax machine **only allow review** of a message history and are **NOT chat** systems. Matsumoto fails to disclose or suggest transferring an instant message and a chat history in a second data format compatible with a **second messaging chat system** and converting an instant message and a chat history from a first data format that is compatible with a first instant messaging system to a second data format that is compatible with a **second data messaging chat system**, as recited by claims 1, 4-6, 8-21 and 24-58.

A benefit of converting an instant message and a chat history from a first data format that is compatible with a first messaging system to a second data format that is compatible with a **second messaging chat system** and transferring an instant message and a chat history in a second data format

compatible with a second chat system is, e.g., the ability to chat and send messages to incompatible systems. Conventionally, there are numerous incompatible messaging and chat system that allow users to send messages amongst their individual subscribers. However, a user of one messaging and chat system cannot send a message to a user of another messaging and chat system. A system and method of converting an instant message and chat history facilitates user of incompatible system to communicate. The cited prior art fails to disclose or suggest the claimed features having such benefits.

Accordingly, for at least all the above reasons, claims 1, 4-6, 8-21 and 24-58 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claim 7 over Matsumoto in view of Flanagin

In the Office Action, claim 7 was rejected under 35 U.S.C. §103(a) as allegedly being obvious over Matsumoto in view of U.S. Publication No. 2002/0108091 to Matsumoto ("Matsumoto"). The Applicant respectfully traverses the rejection.

Claim 7 is dependent on claim 1, and is allowable for at least the same reasons as claim 1.

Claim 7 recites a method initiating a transfer of an instant message and in a first data format compatible with a first messaging system, and transferring the instant message in a second data format compatible with a second messaging chat system.

As discussed above, Matsumoto fails to disclose or suggest a method initiating a transfer of an instant message having a first data format compatible with a first messaging system and transferring the instant message in a second data format compatible with a second messaging chat system, as recited by claim 7.

The Office Action relies on Flanagin to allegedly make up for the deficiencies in Matsumoto to arrive at the claimed features. The Applicant respectfully disagrees.

Flanagin is relied on to disclose establishing a communication channel over a wireless network (Office Action, page 15). Flanagin's invention is directed toward deleting objects from a device (Abstract). However, Flanagin fails to disclose or **suggest** any type of the of instant messages having **differing data formats**, much less a method initiating a transfer of an instant message having a first data format compatible with a first messaging system and transferring the instant message in a second data format compatible with a **second messaging chat system**, as recited by claim 7.

Thus, even if it were obvious to modify Matsumoto with the disclosure of Flanagin (which it is not), the theoretically modified Matsumoto would fail to disclose or **suggest** a method initiating a transfer of an instant message having a first data format compatible with a first messaging system and transferring the instant message in a second data format compatible with a **second messaging chat system**, as recited by claim 7.

Accordingly, for at least all the above reasons, claim 7 is patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 2, 3, 22 and 23 over Matsumoto in view of Scott

In the Office Action, claims 2, 3, 22 and 23 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Matsumoto in view of U.S. Publication No. 2001/0044820 to Scott ("Scott"). The Applicant respectfully traverses the rejection.

Claims 2, 3, 22 and 23 are dependent on claims 1 and 21 respectively, and are allowable for at least the same reasons as claims 1 and 21.

Claims 2 and 3 recite a method initiating a transfer of an instant message having a first data format compatible with a first messaging system and transferring the instant message in a second data format compatible with a **second messaging chat system**. Claims 22 and 23 recite a system to convert an instant message and a chat history from a first data format that is compatible with

a first messaging chat system to a second data format that is compatible with a second messaging chat system.

As discussed above, Matsumoto fails to disclose or suggest a method initiating a transfer of an instant message having a first data format compatible with a first messaging chat system and transferring the instant message in a second data format compatible with a second messaging chat system; and a system to convert an instant message and a chat history from a first data format that is compatible with a first messaging system to a second data format that is compatible with a second messaging chat system, as respectfully recited by claims 2, 3, 22 and 23.

The Office Action relies on Scott to allegedly make up for the deficiencies in Matsumoto to arrive at the claimed features. The Applicant respectfully disagrees.

Scott is relied on to disclose indicating an unavailability in response to a non-establishment of a communication channel (Office Action, page 15). Scott's invention is directed toward monitoring and detecting static, dynamic and active web content (Abstract). However, Scott fails to disclose or suggest any type of the of messages having differing data formats, much less a method initiating a transfer of an instant message having a first data format compatible with a first messaging system and transferring the instant message in a second data format compatible with a second messaging chat system; and to convert an instant message from a first data format that is compatible with a first instant messaging system to a second data format that is compatible with a second instant messaging chat system; and, as recited by claims 2, 3, 22 and 23.

Thus, even if it were obvious to modify Matsumoto with the disclosure of Scott (which it is not), the theoretically modified Matsumoto would fail to disclose or suggest a method initiating a transfer of an instant message having a first data format compatible with a first messaging system and transferring the instant message in a second data format compatible with a second messaging chat system; and to convert an instant message from a first data format that is compatible with a first instant messaging system to a second

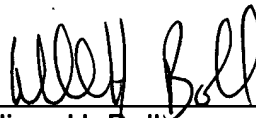
data format that is compatible with a second instant messaging chat system; and, as recited by claims 2, 3, 22 and 23.

Accordingly, for at least all the above reasons, claims 2, 3, 22 and 23 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'William H. Bollman', written over a horizontal line.

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